

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

## RAYMOND MAX SNYDER.

Plaintiff,

Case No. 3:23-cv-00048-ART-CSD

**ORDER GRANTING DEFENDANT'S  
MOTION TO DISMISS  
(ECF No. 23)**

ROBERT E. ESTES,  
Individually and in his official capacity  
as Justice of The Fourth Judicial  
District Court of Elko County,

And John and Jane Does 1-10,

## Defendants.

*Pro se* plaintiff Raymond Max Snyder brings this § 1983 action against Robert E. Estes, Justice of the Fourth Judicial District Court of Elko County, alleging violations of his rights under the U.S. Constitution and the Nevada Constitution. There are ten motions before the Court. Mr. Snyder has filed three motions for default judgment (ECF Nos. 11, 12, 20), a Motion for Summary Judgment (ECF No. 29), a motion for sanctions against Judge Estes (ECF No. 36), and two motions for speedy resolution of the aforementioned motions (ECF Nos. 41, 45). Judge Estes has filed two motions to stay (ECF Nos. 24, 39) and a Motion to Dismiss (ECF No. 23) Plaintiff's Amended Complaint (ECF No. 9) for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. This Court grants Judge Estes's Motion to Dismiss.

## I. BACKGROUND

In August 2020, Mr. Snyder and his then-wife, Laura Ann Snyder, participated in a divorce trial presided over by Judge Estes of the Fourth Judicial District Court of Elko County. (ECF No. 9 at 3). The trial resulted in the parties'

1 divorce and several monetary judgments against Mr. Snyder. (*Id.* at 3.) Mr. Snyder  
 2 then appealed the divorce order to the Nevada Supreme Court, which remanded  
 3 to the trial court, and a hearing on all outstanding motions was set for October  
 4 11, 2023. (ECF No. 17-5 at 4.) Judge Estes represents that Mr. Snyder will have  
 5 the ability to appeal again. (ECF No. 23 at 9.)

6 In his Amended Complaint, Mr. Snyder brought this action complaining  
 7 that Judge Estes violated his Fifth and Fourteenth Amendment rights in the  
 8 divorce proceeding by making decisions that were legally and factually incorrect,  
 9 and that he either oversaw or participated in several instances of fraud committed  
 10 by Mr. Snyder's ex-wife and her counsel. (*Id.* at 3-13.) As remedies, Mr. Snyder  
 11 seeks damages, costs, fees, and injunctive relief, specifically, "for the divorce  
 12 decree to be dismissed." (*Id.* at 14.)

## 13       **II. DISCUSSION**

14 Judge Estes moves to dismiss Mr. Snyder's complaint on three grounds.  
 15 First, Judge Estes moves to dismiss under Rule 12(b)(6) for failure to state a claim  
 16 because he enjoys judicial immunity from suits for damages. Alternatively, he  
 17 moves to dismiss for lack of subject matter jurisdiction under Rule 12(b)(1)  
 18 because this Court lacks jurisdiction to hear *de facto* appeals of state court  
 19 decisions under the *Rooker-Feldman* doctrine. Finally, he argues that the court  
 20 should abstain under *Younger v. Harris* because the divorce proceeding is still  
 21 pending in state court. Without engaging with these arguments, Mr. Snyder's  
 22 response reiterates the harms he allegedly experienced as a result of Judge  
 23 Estes's legal decisions. The Court addresses the jurisdictional challenge first and  
 24 concludes that it lacks jurisdiction to review this suit challenging the state court  
 25 divorce proceeding. Alternatively, Judge Estes is absolutely immune from a suit  
 26 for damages, and any injunctive relief against him is precluded by statute.

### 27       A. The *Rooker-Feldman* Doctrine

28 Judge Estes moves to dismiss for lack of jurisdiction under the *Rooker-*

1     *Feldman* doctrine, which provides that federal district courts lack jurisdiction to  
 2 review decisions of state courts or to reverse or modify state court judgments. *See*  
 3 *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415–16 (1923); *District of Columbia*  
 4 *Court of Appeals v. Feldman*, 460 U.S. 462, 476 (1983). In resolving this facial  
 5 challenge to subject matter jurisdiction, the Court assumes the factual  
 6 allegations of the complaint to be true and draws all reasonable inferences in  
 7 favor of the plaintiff. *Leite v. Crane Co.*, 749 F.3d 1117, 1121 (9th Cir. 2014).

8         The *Rooker-Feldman* doctrine precludes federal district courts from hearing  
 9 cases in which the “federal plaintiff asserts as a legal wrong an allegedly  
 10 erroneous decision by a state court and seeks relief from a state court judgment  
 11 based on that decision.” *Benavidez v. County of San Diego*, 993 F.3d 1134, 1142  
 12 (9th Cir. 2021) (internal quotation marks and citation omitted). Review of such  
 13 state court decisions may be conducted only by the United States Supreme Court.  
 14 *See* 28 U.S.C. § 1257; *see also Exxon Mobil Corp. v. Saudi Basic Indust. Corp.*,  
 15 544 U.S. 280, 291 (2005). The doctrine applies to appeals of interlocutory orders  
 16 as well as final judgments. *Benavidez*, 993 F.3d at 1143. To determine whether  
 17 an action functions as a prohibited de facto appeal, courts “pay close attention  
 18 to the relief sought by the federal-court plaintiff.” *See Cooper v. Ramos*, 704 F.3d  
 19 772, 777–78 (9th Cir. 2012) (quoting *Bianchi v. Rylaarsdam*, 334 F.3d 895, 900  
 20 (9th Cir. 2003)). Where the form of relief would constitute a reversal or “undoing  
 21 of the prior state-court judgment,” *Rooker-Feldman* dictates that the lower federal  
 22 courts lack jurisdiction. *Bianchi*, 334 F.3d at 900 (internal quotations and  
 23 citations omitted).

24         *Rooker-Feldman* applies to this case and deprives this Court of jurisdiction.  
 25 Mr. Snyder complains of a legal injury, caused by allegedly erroneous, wrongful,  
 26 and unconstitutional applications of law, in a case to which he was a party. He  
 27 seeks relief from the challenged judgment in the form of a dismissal of the divorce.  
 28 Mr. Snyder is asking this Court to undo a state court judgment. This is precisely

1 the kind of impermissible appeal of a state court decision that the *Rooker-*  
 2 *Feldman* doctrine bars.

3       B.     Judicial Immunity

4       Even if *Rooker-Feldman* does not strip the Court of jurisdiction, the suit  
 5 against Judge Estes must be dismissed because of Judge Estes's judicial  
 6 immunity.

7       A court may dismiss a plaintiff's complaint for "failure to state a claim upon  
 8 which relief can be granted." Fed. R. Civ. P. 12(b)(6). A properly pleaded complaint  
 9 must provide "a short and plain statement of the claim showing that the pleader  
 10 is entitled to relief." Fed. R. Civ. P. 8(a)(2); *Bell Atlantic Corp. v. Twombly*, 550 U.S.  
 11 544, 555 (2007). While Rule 8 does not require detailed factual allegations, it  
 12 demands more than "labels and conclusions" or a "formulaic recitation of the  
 13 elements of a cause of action." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing  
 14 *Twombly*, 550 U.S. at 555). "Factual allegations must be enough to rise above the  
 15 speculative level." *Twombly*, 550 U.S. at 555. Thus, to survive a motion to  
 16 dismiss, a complaint must contain sufficient factual matter to "state a claim to  
 17 relief that is plausible on its face." *Iqbal*, 556 U.S. at 678 (quoting *Twombly*, 550  
 18 U.S. at 570). Under this standard, a district court must accept as true all well-  
 19 pleaded factual allegations in the complaint and determine whether those factual  
 20 allegations state a plausible claim for relief. *Id.* at 678-79.

21       Judges are absolutely immune from suits for money damages resulting  
 22 from their judicial acts, meaning acts that are performed in their official capacity  
 23 as judges. *Ashelman v. Pope*, 793 F.2d 1072, 1075 (9th Cir. 1986). There are only  
 24 two exceptions to this doctrine, neither of which apply here. First, judicial  
 25 immunity will not extend to acts that are not "judicial" in nature. *Stump v.*  
 26 *Sparkman*, 435 U.S. 349 (1978). To determine whether a function is "judicial,"  
 27 courts look to "the nature of the act itself, i.e., whether it is a function normally  
 28 performed by a judge, and to the expectations of the parties, i.e., whether they

1 dealt with the judge in his judicial capacity.” *Id.* at 362. Second, judicial immunity  
 2 does not apply when a judge acts “in the clear absence of all jurisdiction.” *Stump*,  
 3 435 U.S. at 356 (internal citations omitted). In the context of judicial immunity,  
 4 courts construe a judge’s jurisdiction broadly. *Id.* “A judge will not be deprived of  
 5 immunity because the action he took was in error, was done maliciously, or was  
 6 in excess of his authority. . . .” *Id.*; *Mireles v. Waco*, 502 U.S. 9, 13 (1991). Courts  
 7 distinguish between judges acting in absence of jurisdiction and judges acting in  
 8 mere excess of jurisdiction. The Supreme Court illustrated this distinction in  
 9 *Stump*:

10 [I]f a probate judge, with jurisdiction over only wills and estates,  
 11 should try a criminal case, he would be acting in the clear absence  
 12 of jurisdiction and would not be immune from liability for his action;  
 13 on the other hand, if a judge of a criminal court should convict a  
 14 defendant of a nonexistent crime, he would merely be acting in  
 15 excess of his jurisdiction and would be immune.

16 *Stump*, 435 U.S. at 357. A judge acting in a judicial capacity and not “in the clear  
 17 absence of all jurisdiction” enjoys absolute immunity from suits for damages.  
 18 “Judicial immunity is not overcome by allegations of bad faith or malice,” *Mireles*,  
 19 502 U.S. at 11, nor is it lost when a judge conspires with one party to rule against  
 another party, *Ashelman*, 793 F.2d at 1078.

20 Judge Estes was acting in a judicial capacity when he took the actions  
 21 complained of in this case. His actions were those “normally performed by a  
 22 judge,” and his interactions with Mr. Snyder were undertaken “in his judicial  
 23 capacity.” *Stump*, 435 U.S. at 362. Mr. Snyder complains only of actions Judge  
 24 Estes took while presiding over Mr. Snyder’s divorce case. These alleged actions  
 25 include: failing to let a qualified witness testify (ECF No. 9 at ¶ 7); declining to  
 26 allow certain exhibits at trial (*Id.* at ¶ 8); issuing a legal order in alleged violation  
 27 of prior financial restraining orders (*Id.* at ¶ 9); unfairly awarding money to Mr.  
 28 Snyder’s ex-wife (*Id.* at ¶¶ 10-13, 15, 18, 28-29, etc.); making erroneous findings

of fact (*Id.* at ¶ 14, 16-17); holding a procedurally deficient show cause hearing (*Id.* at ¶¶ 19-27, 30-32); knowingly issuing an order containing false statements (*Id.* at ¶¶ 33-46); overseeing fraud committed by the opposing party (*Id.* at ¶¶ 48-50, 53-61, 66); and refusing to recuse himself despite his bias (*Id.* at ¶¶ 67, 73-74). Because each of these allegations concern judicial acts, Judge Estes is immune from a suit for damages regardless of any alleged bad faith or malice. *Mireles*, 502 U.S. at 11; *Ashelman*, 793 F.2d at 1078.

Judge Estes also was not acting “in the clear absence of all jurisdiction.” State district courts in Nevada have jurisdiction over actions for the dissolution of marriages. NRS 3.223(b); *see also* NV Const. art. 6 § 6 (granting the Nevada legislature the power to establish the jurisdiction of family courts). Judge Estes is a Justice of the Fourth Judicial District Court of Elko County. For all actions relevant to Mr. Snyder’s complaint, he was presiding over a divorce proceeding, with clear jurisdiction over that proceeding pursuant to Nevada statute. Any allegations that Judge Estes acted in excess of his authority are irrelevant to his jurisdiction and ultimately to his immunity from suit. *Stump*, 435 U.S. at 356.

Because Mr. Snyder challenges actions taken by Judge Estes in his judicial capacity, his claim for money damages is barred by the absolute judicial immunity and will be dismissed.

Because this Court lacks jurisdiction to hear Mr. Snyder’s claims, and because his claims are otherwise barred by judicial immunity, this Court will not reach Judge Estes’s argument that *Younger* abstention applies. *Younger v. Harris*, 401 U.S. 37 (1971).

### **III. CONCLUSION**

It is therefore ordered that Defendant Robert Estes’s Motion to Dismiss (ECF No. 23) is granted, and this case is dismissed without prejudice. It is further ordered that Mr. Snyder’s motions for default judgment (ECF Nos. 11, 12, 20), Motion for Summary Judgment (ECF No. 29), motion for sanctions (ECF No. 36),

1 and motions to set for decision (ECF Nos. 41, 45) and Judge Estes's motions to  
2 stay this case (ECF Nos. 24, 39) are denied as moot. It is further ordered that the  
3 Clerk of Court enter judgment accordingly and close this case.

4 Dated this 21<sup>st</sup> day of November 2023.

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7 ANNE R. TRAUM  
8 UNITED STATES DISTRICT JUDGE  
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